IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

A.S.No.540 of 1997(E)

O.S.546/1983 OF THE COURT OF THE III ADDITIONAL SUBORDINATE JUDGE, ERNAKULAM.

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APPELLANT/2ND DEFENDANT:-

GRACY, AGED 60, WIDOW OF LATE CHATHURUTHIL ITTEN PILLAI,
RESIDING AT KUSUMALAYAM, RAMANGALAM KARA,
MARADI VILLAGE, MUVATTUPUZHA.

RESPONDENTS/PLAINTIFF & DEFENDANTS 1, 3 & 4:-

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1. MATHAI ALIAS PRINCE, AGED 39,
S/O.LATE SRI.ITTEN PILLAI, AGRICULTURIST,
CHATHURUTHIL HOUSE, PERUMPILLY DESOM,
MULANTHURUTHY VILLAGE.

2. ELDOSE, AGED ABOUT 25, S/O.VARGHESE, BUSINESS,
KOIKKATTU VEETTIL, KALAMPOOR KARA,
MUVATTUPUZHA VILLAGE,
PRIPRIETOR, BHARAT AGENCIES, M.C.ROAD,
WARD NO.XIV, MUVATTUPUZHA TOWN.

3. JAIJI ITTEN, AGED 42, ADVOCATE,
S/O.LATE SRI.ITTEN PILLAI, CHATHURUTHI HOUSE,
NO.255-B, KALOOR, ERNAKULAM.

4. SHERY ITTEN, AGED 37, PLANTER,
S/O.LATE SRI.ITTEN PILLAI, CHATHURUTHIL,
THACHANPARA P.O., OLAVAKKOT, PALGHAT DISTRICT.

R1 BY ADV. SRI.C.T.JOSEPH

THIS APPEAL SUIT HAVING BEEN FINALLY HEARD ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.Padmanabhan Nair,J.

A.S.No.540 of 1997-E

Dated, this the 1st day of March, 2007

JUDGMENT

Since there was no appearance of the counsel for the appellant, notice was issued to the appellant direct from this office informing her that her counsel is not appearing. That notice was returned with an endorsement "no such addressee". So, I have no option but to dismiss the appeal for non-prosecution.

In the result, the appeal is dismissed for non-prosecution.

K.Padmanabhan Nair
Judge

vku/-